TUVQIÞÁÖÒÞQÖÖLÁÙ^^È ÎcQÁÔãEÄÜEÁFGGEUFDÁЪÁÇDÉÁ Keni H. Shomp

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

UNITED STATES OF AMERICA)	No: 3:12-cr-00048
)	
v.)	
)	Judge Sharp
RICHARD OLIVE)	

UNOPPOSED MOTION TO WITHDRAW AS COUNSEL AND APPOINTMENT OF NEW COUNSEL FOR DEFENDANT RICHARD OLIVE

James E. Nesland and Jeffrey A. Smith, current counsel for Defendant Richard Olive, move the court for an order allowing them to withdraw as Mr. Olive's counsel and, based upon Mr. Olive's attached financial affidavit, move in forma pauperis and for the appointment of new counsel for Mr. Olive to handle his appeal. As grounds, Messrs. Nesland and Smith state as follows.

- 1. On August 19, 2013, the Court sentenced Mr. Olive based on the March 7, 2013 jury verdict (a written judgment has not yet entered).
- 2. On or about August 27, 2013, Mr. Olive filed his *pro* se notice of appeal of the judgment and sentence.
- 3. Mr. Olive, who has been incarcerated since the jury verdict, is indigent as demonstrated by the attached financial affidavit and cannot afford to pay for the privately retained services of Messrs. Nesland and Smith to handle his appeal. Accordingly, Messrs.